

LISTING ON 06.08.2015
COURT NO. 4
ITEM NO. 2

SEC.IV-A

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 29815 OF 2014
WITH PRAYER FOR INTERIM RELIEF

WITH

INTERLOCUTORY APPLICATION NOS. 5 AND 7

(Applications for direction)

AND

INTERLOCUTORY APPLICATION NOS. 6, 8, 10 AND 12

(Applications for exemption from filing official translation)

AND

INTERLOCUTORY APPLICATION NO. 9 AND 13

(Application for permission to place additional documents)

AND

INTERLOCUTORY APPLICATION NO. 11

(Application for clarification)

WITH

CONTEMPT PETITION NO. 314 OF 2015

IN

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 29815 OF 2014

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 31553 OF 2014

Ankur Trivedi, Etc.

...Petitioners

-Versus-

State of Madhya Pradesh & Ors.

...Respondents

OFFICE REPORT

The matters above mentioned were mentioned before the Hon'ble Court on 11.05.2015 with an Office Report dated 09.05.2015, when the Court was pleased to pass the following Order:

"S.L.P.(C) No.29815/2014

Mr. R. Balasubramaniam, learned counsel appearing for the Accountant General for the State of M.P., shall serve copies of the report on the learned counsel for the parties within a week hence. Response thereto, be filed within four weeks therefrom.

On a perusal of the report, it transpires that the accounts of the Societies were not audited since 2007. The Accountant General for the State of M.P. shall proceed with the auditing of the Society, namely, District Co-operative Central Bank, Panna, and submit an interim report by 10th July, 2015.

Let the matter be listed on 21st July, 2015. On that day, the Registrar of the District Co-operative Central Bank, Panna, shall remain personally present.

All the primary Societies shall cooperate with the accounting to be conducted by the team of the Accountant General and Mr. C.D. Singh, learned Standing Counsel for the State of M.P., has submitted that he will instruct the competent

authority of the State to issue a circular that if any person of any Society will not extend the cooperation, he may be liable for contempt of this Court.

W.P.(C) No.257 of 2015

Issue notice.

As the respondent Nos.1 and 2 are represented by Mr. C.D. Singh, learned counsel, no further notice need be issued.

Let a copy of the writ petition be served on the learned Solicitor General of India through the Central Agency for the respondent No.3. As far as the respondent No.4 and 5 are concerned, notice be served Dasti.

At this juncture, we are obligated to state that the special leave petition which arises from the affairs relating to Society, namely, District Co-operative Central Bank, Panna, there is an end to the tenure of the present writ petitioner as the Chairman and also the Board of Directors. There is a need to appoint a person to remain in-charge till the elections are held. The said facet shall be addressed to on 14th May, 2015. We must make it clear that we are taking up this exercise in this case as it has a history and a special leave petition has also travelled to this Court.

Call on 14th May, 2015.”

It is submitted that certified copy of Record of Proceeding dated 11.05.2015 to the concerned authorities for compliance and necessary action.

It is further submitted that original record from the High Court of Madhya Pradesh at Jabalpur has been received and the same is available in Court Room for Reference.

It is further submitted that Mr. Sarvam Ritam Khare, Advocate for respondent nos. 9, 13, 14 and 17 has filed short reply to the Audit Report filed by Accountant General (G & SSA) Madhya Pradesh, Gwalior alongwith application for permission to file annexures in vernacular language.

It is further submitted that Mr. D.S. Mahra, Advocate on behalf of Mr. S.K. Chauhan, Deputy Accountant General has filed affidavit on behalf of Comptroller and Auditor General of India alongwith report of the Accountant General which is in sealed cover.

It is further submitted that Mr. C.D. Singh, Advocate has filed vakalatnama/appearance and additional affidavit, annexure A-1 to A-4 alongwith application for exemption from filing official translation which is registered as I.A. No. 14.

It is further submitted that Mr. Rahul Kaushik, Counsel for the respondent no. 6 has on 15.07.2015 filed two separate applications for direction with affidavit, annexures alongwith application for exemption from filing official translation but copies of the

same has not been served on all other advocates. Copy of all documents has already been included in the SLP paper books.

Service of show cause notice is complete.

It is further submitted that Mr. Rajesh Shrivastava, Counsel for the Petitioner had filed Contempt Petition praying therein to initiate Contempt Petition against alleged contemnor for wilful disobedience and breach of the Court's order dated 12.11.2014 and 17.03.2015 alongwith Annexure P-1 to P-4 alongwith application for exemption from filing official translation which has been registered as Contempt Petition No. 314 of 2015 and I.A. No. 1. Copy of the same has been included in the paper books.

It is further submitted that Mr. Rajesh Shrivastava, Counsel for the Petitioner had also filed application for clarification, Annexure A-1 to A-5 alongwith application for exemption from filing official translation which have been registered as I.A. Nos. 11 and 12. Copy of the same has been included in the paper books.

It is further submitted that a letter dated 13.07.2015 alongwith Annexures, which is in vernacular has been received on 20.07.2015 from Justice V.K. Agarwal (Retd.), former Judge, High Court of M.P., Court Commission (Copy enclosed).

Thereafter, the matters above mentioned were listed before the Hon'ble Court on 21.07.2015 with an office report dated 20.07.2015, whe the Court was pleased to pass the following order:

"List the matters on 6th August, 2015."

It is lastly submitted that Ms. Abha R. Sharma, Advocate has on 03.08.2015 filed vakalat/appearance on behalf of Petitioner after obtaining no objection certificate from erstwhile advocate Mr. Rajesh Srivastava, Advocate in SLP No. 29815/14.

It is further submitted that Ms. Abha R. Sharma, Advocate for the petitioner has on 05.08.2015 filed an application for direction, annexures P-1 to P-6 alongwith application for exemption from filing official translation without serving its copy on Mr. D.S. Mahra, Advocate on behalf of Mr. S.K. Chauhan, Deputy Accountant General. As the matter is on board, docuemt is being circulated with this office report.

SLP(C) NO. 31553 OF 2014

It is submitted that no further document has been filed.

The matters above mentioned are listed before the Hon'ble Court with this Office Report.

Dated this the 5th day of August, 2015.

ASSISTANT REGISTRAR

Copy to: Ms. Abha R. Sharma, Advocate, 101, C.K. Daphtary Block
Mr. Rahul Kaushik, Advocate, 51, Lawyers Chambers
Mr. Jayant K. Mehta, Advocate, 117, C.K. Daphtary Block
Mr. Sarvam Ritam Khan, Advocate, Supreme Court Bar Association
Mr. Mohit Kumar Shah, Advocate, 207, New Lawyers Chambers
Mr. C.D. Singh, Advocate
Mr. D.S. Mahra, Advocate

ASSISTANT REGISTRAR

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